

GLENDALE CITY COUNCIL MEETING

**Council Chambers
5850 West Glendale Avenue
January 24, 2006
7:00 p.m.**

CALL TO ORDER – PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES OF [JANUARY 10, 2006](#)

PROCLAMATIONS AND AWARDS

[DISTINGUISHED BUDGET PRESENTATION AWARD](#)

[2005 STATE CHAMPIONS – CACTUS COBRA FOOTBALL TEAM](#)

**[2005 NJCAA FOOTBALL CHAMPIONS – GLENDALE COMMUNITY COLLEGE
GAUCHOS](#)**

CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. If you would like to comment on an item on the consent agenda, please come to the podium and state your name, address and item you wish to discuss.

1. [FINAL PLAT APPLICATION FP04-03: PROVENCE – 7249 NORTH 91st AVENUE](#)
2. [AWARD OF CONSTRUCTION CONTRACT: GLENDALE MUNICIPAL AIRPORT SECURITY FENCE](#)

CONSENT RESOLUTIONS

3. [INTERGOVERNMENTAL AGREEMENT WITH THE TOLLESON UNION HIGH SCHOOL DISTRICT](#)

PUBLIC HEARING – LAND DEVELOPMENT ACTIONS

4. [REZONING APPLICATION ZON05-19: 6180 WEST UTOPIA ROAD](#)

LAND DEVELOPMENT ACTIONS

5. [DESIGN REVIEW APPLICATION DR05-60: ARROWHEAD GATEWAY - 17700 NORTH 75TH AVENUE](#)

BIDS AND CONTRACTS

6. [PROFESSIONAL SERVICES AGREEMENT - DOWNTOWN PEDESTRIAN ENHANCEMENTS](#)
7. [PROFESSIONAL SERVICES AGREEMENT - MASTER PLAN UPDATE FOR THE GLENDALE MUNICIPAL AIRPORT](#)

ORDINANCES

8. [CITY CODE SEC. 13-9 AMENDMENT: CITY COURT WARRANT FEE](#)
9. [WATER AND SEWER REVENUE OBLIGATIONS](#)

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

CITIZEN COMMENTS

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COUNCIL COMMENTS AND SUGGESTIONS

ADJOURNMENT

Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (i) discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
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- (vi) discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).

CALL TO ORDER – PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES OF [JANUARY 10, 2006](#)

PROCLAMATIONS AND AWARDS

[DISTINGUISHED BUDGET PRESENTATION AWARD](#)

Purpose: This is a request for City Council to accept the Distinguished Budget Presentation Award for exemplary budget documentation as reflected in the city's FY 2005-06 Budget Book.

Background: The Government Finance Officers Association of the United States and Canada (GFOA) recently issued the Distinguished Budget Presentation Award for the city's FY 2005-06 Budget Book.

Previous Council/Staff Actions: This is the 17th time the city has been presented this award for its annual budget document.

Community Benefit: Each year the annual budget book is prepared to provide complete, readily available information to the city Council, citizens, the media, other public agencies and New York based bond-rating agencies. Preparation of the annual budget book reflects positively on a local government's financial management, as it relates to providing complete public disclosure of its financial condition. It provides valuable information on topics as diverse as revenue and expenditure plans for the current fiscal year's operating and capital budgets, as well as the 10-year capital improvement plan and performance measures for departments.

Recommendation: Accept the Distinguished Budget Presentation Award.

[2005 STATE CHAMPIONS – CACTUS COBRA FOOTBALL TEAM](#)

Purpose: This is a request for the City Council to issue a Proclamation of Recognition to the Cactus High School Cobra's Football team who recently completed an undefeated season with a victory in the Class 4A-I State Championship Game. We are recognizing the significant accomplishments achieved by the Cactus Cobras Football team and their coaches, and expressing our gratitude for the pride and recognition they have brought to themselves, their school, and the community of Glendale.

Recommendation: Present Proclamation of Recognition to Head Coach Larry Fetkenhier and the members of the Cactus High School Cobras Football team.

[2005 NJCAA FOOTBALL CHAMPIONS – GLENDALE COMMUNITY COLLEGE GAUCHOS](#)

Purpose: This is a request for the City Council to issue a Proclamation of Recognition to the Glendale Community College (GCC) Gauchos football team who recently completed a perfect season with a victory in the 2005 Valley of the Sun Bowl. We are recognizing the significant

accomplishments achieved by the GCC Gauchos and their coaches, and expressing our gratitude for the pride and recognition they have brought to themselves, Glendale Community College, and the community of Glendale.

Recommendation: Present Proclamation of Recognition to Head Coach Joe Kersting and the members of the GCC Gauchos Football team.

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1. [FINAL PLAT APPLICATION FP04-03: PROVENCE – 7249 NORTH 91ST AVENUE](#)

Purpose: This is a request by Precision Developments, Inc. for City Council to approve the final plat for Provence, a PRD (Planned Residential Development) subdivision located at 7249 North 91st Avenue.

Council Policies Or Goals Addressed: The proposed final plat is consistent with the General Plan and the existing R1-4 PRD (Single Residence, Planned Residential Development) zoning district. The proposed subdivision creates additional residential housing opportunities for the city. This development incorporates sound growth management techniques by utilizing the surrounding infrastructure.

Background: The site is located on the east side of 91st Avenue approximately 721 feet north of Glendale Avenue. The 37.17-acre parcel is being subdivided into 215 lots at a density of 5.78 dwelling units per gross acre. Lot sizes vary from 3,113 square feet to 10,007 square feet. The average lot size is 4,127 square feet. The final plat meets the requirements of the Subdivision and Minor Land Division Ordinance.

Previous Council/Staff Actions: On November 25, 2003 the Council approved the companion rezoning application (ZON03-01) for R1-4 PRD for this subdivision.

Community Benefit: This project provides housing variety, opportunity and a range in housing unit diversity for the city.

Public Input: A neighborhood meeting was held on April 9, 2003. Of the 60 people invited by mail to the meeting, eight area residents attended. Issues discussed included lot and home sizes, number of stories, lot coverage, street design and street entrances. Since that time the applicant has been working on the improvement plans associated with this subdivision.

Recommendation: Approve final plat application FP04-03.

2. AWARD OF CONSTRUCTION CONTRACT: GLENDALE MUNICIPAL AIRPORT SECURITY FENCE

Purpose: This is a request for City Council to approve a construction contract with Phoenix Fence Company, for the replacement of the four-foot perimeter fence with six-foot security fence in an amount not to exceed \$312,441.

Background: The existing perimeter fence along Glen Harbor Boulevard is only four feet high and does not meet the new Federal Aviation Administration (FAA) security standards. The project includes installing new six-foot perimeter fence along with replacing several auto access gates with card access-only automatic sliding security gates.

In November 2005, only one bid was received for this project and was below the engineer's estimate. Staff is recommending the award of the base bid to Phoenix Fence Company, a qualified licensed contractor, in the amount of \$312,441.

Previous Council/Staff Actions: In 2002 and 2003, the city accepted a FAA Grant in the amount of \$150,000, and an Arizona Department of Transportation (ADOT) grant in the amount of \$7,363 for the installation of new airport perimeter fencing.

Community Benefit: The Glendale Airport plays a major role in meeting the increasing demand for aviation services in the West Valley. With the arena operational, the multi-use stadium opening in 2006, and the continued development of hotels, along with destination retail and entertainment facilities, the airport has experienced, and will continue to experience a significant increase in corporate jet traffic. With increased airport activity comes additional security issues. The new airport perimeter fencing will improve airport security.

Budget Impacts & Costs: The total cost, including design, construction and administration, is \$357,601. The design and administration component cost is \$45,160, and the cost of constructing the fence is \$312,441.

Funding for this project is available from multiple sources:

- \$150,000 from the FAA Grant
- \$7,363 from the ADOT Grant, and
- The city's matching amount of \$200,238 in the GO Transportation Program.

The design and administration costs have been allocated from the grant funds, leaving \$112,203 available in grant funding for the construction costs. The city's match amount is available in the GO Transportation Program capital fund (fund 33). A transfer is required from Runway Protection Zone Land Purchase Account, No. 33-9476-8320, in the amount of \$192,291, to Replace Fencing – Airport Account, No. 33-9475-8300, to supplement the \$7,947 currently available in this account.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X	X		X		\$312,441

Account Name, Fund, Account and Line Item Number:

Replace Fencing - Airport Account No. 33-9475-8300 (\$200,238 City Match)

Replace Fencing - Airport Account No. 34-8071-8300 (\$112,203 Grant Funds)

Recommendation: Approve the transfer of \$192,291 and the construction contract with Phoenix Fence Company in an amount not to exceed \$312,441.

CONSENT RESOLUTIONS

3. [INTERGOVERNMENTAL AGREEMENT WITH THE TOLLESON UNION HIGH SCHOOL DISTRICT](#)

Purpose: This is a request for City Council to adopt a resolution to enter into an Intergovernmental Agreement (IGA) with Tolleson Union High School District for city use of the Copper Canyon High School parking lot located at 9126 West Camelback Road.

The parking lot will be used for overflow parking during Cardinals football games, mega events, and Arizona Sports and Tourism Authority events. In exchange for use of the parking lot, the city will construct a lighting system for sports fields at the high school.

Council Policies Or Goals Addressed: This agreement furthers Council strategic priorities of enhancing the quality of life for Glendale residents, strengthening community relationships and creating new partnerships.

Background: As part of the agreement with the Arizona Sports and Tourism Authority for the development of the Cardinals Stadium, the city agreed to provide off-site, overflow parking opportunities within a one-mile radius of the stadium. The IGA with the Tolleson Union High School District/Copper Canyon High School provides for city use of the school parking lot as overflow parking for Cardinals football games, mega events and Arizona Sports and Tourism Authority events that will occur during non-school hours.

In addition, both organizations will allow reciprocal uses of their recreation facilities based upon availability and mutual agreement. The agreement establishes a maintenance fund that both parties will contribute into for future repairs of the lighting system. The school district will pay for electrical costs and the city will maintain the lighting system.

Staff previously presented this agreement at the December 13, 2005 Council meeting. This agenda item was tabled to address concerns regarding the scheduling of each organization's facilities. The IGA has been changed to add language that requires the joint development of an annual use calendar to assure that both parties are receiving equitable benefit. The Tolleson Union High School District approved the revised IGA at their January 10, 2006, school board meeting.

Community Benefit: The lighted sports fields and reciprocal uses of school and city recreation facilities will provide opportunities to offer expanded and joint recreation activities to the community. Providing additional parking at the school will assist in reducing potential overflow parking in adjacent neighborhoods during large events and football games.

Budget Impacts & Costs: The installation cost of the sports field lights will not exceed \$350,000. The installation cost is in the FY 2005-06 Capital Improvement Budget. An operating budget supplemental will be submitted for the FY 2006-07 to fund light replacement and parking lot cleaning.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X	X	X		\$350,000

Account Name, Fund, Account and Line Item Number:

Soccer Lights, 36-8941-8300, \$350,000

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an Intergovernmental Agreement with the Tolleson Union High School District.

PUBLIC HEARING – LAND DEVELOPMENT ACTIONS

4. [REZONING APPLICATION ZON05-19: 6180 WEST UTOPIA ROAD](#)

Purpose: This is a request for City Council to approve the Planning Commission initiated request to rezone the St. Thomas More Catholic Church Campus, from C-2 (General Commercial) to R1-7 (Single Residence), located at 6180 West Utopia Road.

Council Policies Or Goals Addressed: The rezoning request is consistent with the General Plan.

Background: The property is currently used as the St. Thomas More Church Campus. The rezoning does not impact the present operation of the church or the future expansion plans and ultimate full development of the St. Thomas More Campus. There are no plans to close the church or develop the property for anything other than a church and its related uses at this time.

The request is to rezone from C-2 (General Commercial) to R1-7 (Single Residence). The requested rezoning would reduce the intensity of use for the property should redevelopment occur in the future and would provide a zoning district that is similar in character to the existing surrounding residential neighborhoods. The requested rezoning would bring the property into conformance with the General Plan designation of Medium Density Residential. (3.5 to 5 dwelling units per acre).

Previous Council/Staff Actions: On December 15, 2005 the Planning Commission recommended approval of the rezoning application.

Community Benefit: The rezoning will reduce the intensity of use for the properties should redevelopment occur in the future and would provide a zoning district that is similar to the existing surrounding residential neighborhoods.

Public Input: On November 4, 2005, notification letters were sent out to 230 neighbors and interested parties informing them of this request. Staff received one phone call asking if 3.5 to 5 du/acre meant apartments or condominiums. Staff explained that it did not, that the General Plan designation of 3.5 to 5 du/acre meant single-family residential like the surrounding subdivisions.

Recommendation: Conduct a public hearing and approve Rezoning Application ZON05-19.

LAND DEVELOPMENT ACTIONS

5. [DESIGN REVIEW APPLICATION DR05-60: ARROWHEAD GATEWAY - 17700 NORTH 75TH AVENUE](#)

Purpose: This is a request by CTW-Arrowhead, LLC for City Council to approve the Design Review application for Arrowhead Gateway Shopping Center located at 17700 North 75th Avenue. The 9.9-acre site is located at the southwest corner of St. John Road and 75th Avenue.

Council approval of this design review application is required as a stipulation of the PAD (Planned Area Development) zoning on this property.

Council Policies Or Goals Addressed: The proposed shopping center will promote economic development in the City of Glendale. The development incorporates sound growth management techniques by utilizing the surrounding infrastructure.

Background: The applicant intends to construct approximately 65,359 square feet of retail space on this site. Seven single-story buildings are proposed for the shopping center. Thirty-five feet of landscaping is proposed along 75th Avenue to screen the residences across the street. Two driveways are proposed on 75th Avenue. The project will use muted earth tone colors to complement the adjacent development.

Community Benefit: The project promotes the development of vacant property and provides shopping options that are compatible with the surrounding area.

Public Input: A neighborhood meeting was held August 29, 2005. A public meeting was held and of the 44 people invited three attended. Some issues discussed were the hours of operations for the restaurants and what types of establishments are being proposed.

Recommendation: Approve Design Review application DR05-60 subject to the stipulations recommended by staff.

BIDS AND CONTRACTS

6. PROFESSIONAL SERVICES AGREEMENT - DOWNTOWN PEDESTRIAN ENHANCEMENTS

Purpose: This is a request for City Council to approve a professional services agreement in an amount not to exceed \$1,495,871 with Kimley-Horn and Associates for design and construction management services for downtown pedestrian enhancements.

Council Policies Or Goals Addressed: This project supports Council goals of public safety, creating transportation options, and enhancing the quality of life for Glendale residents.

Background: This proposed project includes the design and construction management of the Downtown Pedestrian Enhancements.

Principal projects will include:

- Rehabilitation of existing pedestrian facilities;
- Extension of downtown improvements including sidewalks, lighting, landscaping, street furniture, and under grounding utility lines;
- Alleyway improvements;
- Completion of planned improvements along Glendale Avenue from 51st to 67th avenues; and
- Pedestrian-related intersection improvements.

These improvements are defined in a Design Concept Report (DCR) dated November 2005 and follow the Glendale Downtown Streetscape Design Guidelines as adopted by Council in December 1994. Construction will be staged to minimize impact on downtown events. The proposed schedule for construction to be completed is October 31, 2007.

Previous Council/Staff Actions: In December 1994, the city adopted the Glendale Downtown Streetscape Design Guidelines.

Community Benefit: The proposed pedestrian improvements will continue to provide an attractive and harmonious appearance for this important part of the city, further enhance the pride of ownership that Glendale residents have in their downtown, and contribute to the overall long-term commercial redevelopment of the area.

Public Input: In November 2001, Glendale voters approved the half-cent transportation sales tax package including a ballot map of bicycle and pedestrian projects that identified pedestrian circulation improvements in the downtown area. The Citizens Transportation Oversight Commission has been involved in developing the design concept report, and downtown business interests have been supportive through the Downtown Development Corporation. This project was presented at public meetings held as part of the Glendale Onboard Transportation Program. Project specific public meetings are planned for the citizens and businesses in the project area.

Budget Impacts & Costs: Funds for this professional services agreement in the amount of \$1,495,871 are available in FY 2005-06 and FY 2006-07 of the Glendale Onboard Transportation Program.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$1,495,871

Account Name, Fund, Account and Line Item Number:

Downtown Pedestrian Circulation, Account No. 33-9467-8330

Recommendation: Approve the professional services agreement with Kimley-Horn Associates, Inc. in an amount not to exceed \$1,495,871.

7. [PROFESSIONAL SERVICES AGREEMENT - MASTER PLAN UPDATE FOR THE GLENDALE MUNICIPAL AIRPORT](#)

Purpose: This is a request for City Council to approve a professional services agreement with Coffman Associates to perform a master plan update for the Glendale Municipal Airport.

Council Policies Or Goals Addressed: This project addresses Council's strategic priority of creating transportation options.

Background: On September 10, 2002, the Council accepted an Arizona Department of Transportation (ADOT) Grant to fund an airport master plan update and eastside drainage study. The most recent master plan update was completed in 1997, and both the Federal Aviation Administration (FAA) and ADOT recommend that master plans be updated every five to seven years. The ADOT grant is for \$135,000.

In May of 2004, a Request for Proposal (RFP) process was initiated to select a consultant to perform both the master plan update and eastside drainage study. Five proposals were submitted to Engineering on May 19, 2004 and the review panel, with representatives from Transportation, Engineering, Phoenix Aviation, and the Aviation Advisory Commission met on May 27, 2004. The panel evaluators scored and ranked all of the proposals. Coffman Associates was recommended by the panel with the highest ranked proposal.

The City Attorney's Office, FAA and ADOT reviewed the proposed contract and submitted comments. These comments were incorporated into the final contract document, and in March 2005 the FAA approved the contract.

The master plan update will include a continuous public input process managed by a Planning Advisory Committee (PAC). The PAC will be composed of the following stakeholders: officials from Luke Airforce Base, representatives of local, regional, state, and federal agencies, local community representatives, and airport users and tenants. The master plan update will take an inventory of current infrastructure at the airport, do an aviation demand forecast and project the aviation facility requirements. The master plan update will also look at different

development alternatives for the airport, complete an updated airport layout plan and come up with a financial plan to help accomplish all of the designated projects.

Public Input: The Glendale Aviation Advisory Commission Chairman was on the review panel that evaluated and scored the proposals.

Budget Impacts & Costs: The total cost of the project is \$161,750. The city's matching share of \$26,750 is available in the GO Transportation Program (fund 33). A transfer is required from the Airport Pavement Preservation, Account No. 33-8592-8330 in the amount of \$21,750 to Airport Master Plan Update, Account No. 33-9471-8330. FAA and State grants are administered through Account No. 34-8072-8330.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X	X		X		\$161,750

Account Name, Fund, Account and Line Item Number:

Airport Master Plan Update, Account No. 33-9471-8330 (\$26,750)

Eastside Drainage and Master Plan, Account No. 34-8072-8330 (\$135,000)

Recommendation: Approve the transfer and professional services agreement with Coffman Associates in an amount not to exceed \$161,750.

ORDINANCES

8. [CITY CODE SEC. 13-9 AMENDMENT: CITY COURT WARRANT FEE](#)

Purpose: This is a request for City Council to adopt an amendment to the ordinance Section 13-9 City Court Fees, authorizing the assessment of a warrant fee.

Council Policies Or Goals Addressed: This request addresses the Council's strategic priority of providing financial stability.

Background: The court, detention, prosecutor's office, public defenders and police are required to perform substantial efforts when defendants fail to appear for their scheduled court date or fail to pay their fine. Yet, with the exception of a civil default fee, there is no added penalty for these defendants who are charged with more serious criminal offenses. The city does not currently attempt to recoup the costs associated with generating the warrant and its related activities. As a court of limited jurisdiction, Glendale City Court does not have the inherent authority to recover some of these costs. A statute or city ordinance is required. The existing ordinance allows for a court improvement fee, default fee and collection fee.

After surveying many courts throughout Arizona, most courts assess warrant fees ranging from \$45 to \$239 per case.

Budget Impacts & Costs: Execution of warrants can occur by either a police officer arresting the defendant or the defendant appearing in court. Either method produces additional steps for

both the court system and police agencies. If established, this fee would be a way for the city to recoup some of the costs for labor extended by more than one department. The court issues approximately 600 warrants per month.

Recommendation: Waive reading beyond the title and amend ordinance Section 13-9 to authorize the assessment of a City Court warrant fee in the amount of \$75 per case.

9. WATER AND SEWER REVENUE OBLIGATIONS

Purpose: This is a request for City Council to approve an ordinance authorizing the sale of up to \$80,000,000 of water and sewer revenue obligations. An emergency clause is needed so that the ordinance will become effective immediately to address interest rate fluctuations in financial markets. The proposed February 7, 2006 sale funds projects approved in the fiscal year (FY) 2005-06 capital improvement plan (CIP).

Council Policies Or Goals Addressed: Proceeds will fund budgeted FY 2005-06 CIP projects that meet goals of providing financial stability, managing growth, preserving neighborhoods, and enhancing the quality of life for residents.

Background: A team from the Budget, Engineering, and Finance departments met to review available funds for projects in FY 2005-06. They consulted with the city's bond counsel, Greenberg Traurig, LLP and financial advisor, Johnson Consulting Group, LLC. The team determined that sale of water and sewer obligations is prudent based on market conditions and projected cash flow. The city would receive funds from the sale around February 28, 2006.

Previous Council/Staff Actions: Council adopted the FY 2005-06 budget including water and sewer CIP projects in June 2005. The adopted budget anticipated financing of projects. In October 2003, Council adopted Ordinance No. 2530 New Series, which authorized issuance of revenue obligations that are junior and subordinate to previously issued city water and sewer revenue bonds. In September 1993, Council adopted Ordinance No. 1784 New Series, which amended the city's master water and sewer ordinance with respect to rate covenants applicable to the sale of additional bonds and covenants applicable to operation of the systems. In December 1984, Council adopted water and sewer master Ordinance No. 1323 New Series. The proposed sale of the 2006 obligations is consistent with the previous Council actions.

Community Benefit: Financing proceeds will fund a variety of approved water and sewer CIP projects, including construction of the Oasis Water Campus, improvements to the Cholla and Pyramid Peak Water Treatment Plants, construction of the stadium water line, 83rd Avenue and Bell Road Lift Stations, 91st Avenue waste water treatment plant improvements, and other related projects.

Budget Impacts & Costs: The obligations will be paid from water and sewer fund pledged revenues. Estimated revenues in the current and future fiscal years are anticipated to adequately fund repayment of the outstanding and proposed obligations. The city continues to covenant to maintain water and sewer rates, fees and charges at a level sufficient to pay the existing and proposed water and sewer system obligations.

Recommendation: Waive reading beyond the title and adopt an ordinance approving the issuance and sale of water and sewer revenue obligations.

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- (vi) discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).